

**PATENT**

Atty Docket No.: 70006557-2

App. Ser. No.: 09/922,463

**IN THE DRAWINGS**

Please replace the third drawing sheet with the attached replacement sheet, wherein the replacement sheet includes the label, "FIG. 3".

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**REMARKS**

Favorable reconsideration of this application is respectfully requested in view of the claim amendments and following remarks. Claims 21-23 have been added. Claims 2, 8, 10, and 11 were previously canceled without prejudice or disclaimer of the subject matter contained therein. Claims 1, 3-7, 9, and 12-23 are currently pending, of which, claims 1, 6, and 20 are independent. No new matter has been introduced by way of the forgoing amendments; entry thereof is therefore respectfully requested.

The drawings were objected because the third sheet of drawings is allegedly missing the label "FIG. 3".

Claim 20 was rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter.

Claims 1, 3-7, 9, and 12-19 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement.

Claims 1, 3-7, 9, and 12-19 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

Claims 1, 3-7, 9, and 12-20 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Dutta et al. (2002/0078102) in view of Ryu et al. (6,775,291).

The above objection and rejections are respectfully traversed for at least the reasons set forth below.

**Examiner Interview**

The undersigned appreciates Examiner Siddiqi for extending his courtesies in an interview at the Patent Office on June 7, 2007. The claim rejections under 35 U.S.C. § 101 and 112 were discussed, wherein the undersigned provided and the Examiner understood

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explanations as to why such claim rejections should be withdrawn. The claim rejection under 35 U.S.C. § 103(a) were also discussed, and the undersigned appreciates the Examiner for indicating features relating to the appliance server in the present application that may be allowable over the references of record.

**Objection to the Drawings**

The drawings were objected because the third sheet of drawings lacks a label "FIG. 3." Such a label has been added in the attached replacement sheet of drawings. Accordingly, withdrawal of the objection to the drawings is respectfully requested.

**Claim Rejection Under 35 U.S.C. § 101**

Claim 20 was rejected for allegedly being directed to non-statutory subject matter because it is "directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful and tangible result."

As explained in the interview and acknowledged by the Examiner, it is respectfully submitted that Claim 20, as amended, includes statutory subject matter for at least the following reasons:

- 1) Claim 20 is directed to a technological environment or machine, namely a computer system that includes a client computer with at least "means for determining the network path bookmark information from the predetermined directory repeatedly," a server computer that operates to receive such bookmark information from the client computer, and a mobile device that operates to request the bookmark address from the bookmark information received by the server computer.

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2) Claim 20 results in a practical application, namely the ability to transfer network path bookmark information from a client computer to a mobile device via a server computer. Thus, the mobile device is provided with access to the bookmark information from the client computer that it otherwise does not have access for use at the mobile device. Thus, such a practical application produces a useful, concrete, and tangible product, namely, a mobile device that now has the ability to remotely access bookmark information not of its own.

Accordingly, Claim 20 is directed to statutory subject matter, and withdrawal of the claim rejection under 35 U.S.C. § 101 is respectfully requested.

**Claim Rejection Under 35 U.S.C. § 112, 1<sup>st</sup> Paragraph**

Claims 1 and 6 and their dependent claims were rejected because the Office Action required written description for the limitation "the network path bookmark information is stored in a browser application installed in the client computer." The Office Action alleged that such bookmark information is stored in a predetermined directory and not in the browser application.

As explained in the interview and understood by the Examiner, a software application such as a browser application is a conglomeration of one or more computer files. As also well known in the art, a typical browser application such as Microsoft Internet Explorer creates bookmark files as part of the application to allow users to bookmark desired web sites and to provide subsequent quick access to such sites, wherein such bookmark files are saved in a directory predetermined by the browser application. Thus, such bookmark files are computer files of the browser application. After all, without the installation of a browser application, no such bookmark files would have been created and no predetermination of a

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directory for saving such files by the browser application would have been desired.

Consequently, although a bookmark file is saved in a predetermined directory, such a directory is predetermined by the browser application, and the bookmark file therein is very much a part of the browser application.

Accordingly, because the present application provides disclosure for a browser application storing a bookmark file, there is sufficient written description for the claimed features in question. Therefore, withdrawal of the claim rejections under 35 U.S.C. § 112, 1<sup>st</sup> paragraph, is respectfully requested.

**Claim Rejection Under 35 U.S.C. § 112, 2<sup>nd</sup> Paragraph**

Claims 1 and 6 and their dependent claims were rejected because the Office Action alleged that it is not clear "how the server repeatedly receiving in a predetermined time interval" and "how the browser is enabled to send repeatedly, a user-selected bookmark addresses to server."

It is respectfully submitted that the claim language is quite clear and concise, as evidenced by the Examiner's understanding that it is the server that is repeatedly receiving in a predetermined time interval the bookmark information. It should be noted that the claims do not specifically state that it is the *browser* that is enabled to repeatedly send the user-selected bookmark addresses to the server. Thus, the Office Action cannot reject claim language that does not exist.

As described on page 7 of the specification and FIG. 1 of the present disclosure, the central server 106 may be accessed via the internet 108. Thus, through the internet 108, information or data may be sent to the central server 106 repeatedly forever or in any predetermined time interval in any manner known in the art. The time setting for sending

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data to the central server 106 is set by whatever source that sends the data to the central server. In the present disclosure, the method for repeatedly sending data from one computer to another, such as from the client or personal computer 102 to the central server 106, may involve the use of any communication software that resides in the client computer 102, as understood in the art. It should be noted that the claimed invention is directed to more than just sending data from one computer. That is, the claimed invention is directed to at least sending the particular bookmark information from a client computer to a central server computer for forwarding to a mobile device so as to make available such bookmark information to the mobile device.

It is respectfully submitted that the claim language may be broad in that it does not specifically indicate the source that repeatedly sends data or information to the server computer. However, according to MPEP 2173.04,

Breadth of a claim is not to be equated with indefiniteness. *In re Miller*, 441 F.2d 689, 169 USPQ 597 (CCPA 1971). If the scope of the subject matter embraced by the claims is clear, and if applicants have not otherwise indicated that they intend the invention to be of a scope different from that defined in the claims, then the claims comply with 35 U.S.C. 112, second paragraph.

Claims 1, 6, and 20 were further rejected because the "the client computer" lacks antecedent basis. Claims 1 and 6 have been amended to indicate "a client computer" in the first recitation of such a term in the claims. However, it is respectfully submitted that Claim 20 already provides sufficient antecedent basis for the "client computer" on line 3.

Claim 9 was further rejected because "the appliance" in line 4 lacks antecedent basis. Claim 9 has been amended to indicate "an appliance" the first recitation of such a term in the claim.

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Claim 20 was further rejected because the phrase "adapted to" renders the claim indefinite. Claim 20 has been amended where the phrase "adapted to" has been replaced with the phrase "operates to" to provide a definite action.

Accordingly, in light of the aforementioned explanation and claim amendments, it is respectfully submitted that the claimed invention is clear and concise, and withdrawal of the claim rejection under 35 U.S.C. § 112, second paragraph, is respectfully requested.

**Claim Rejection Under 35 U.S.C. § 103**

The test for determining if a claim is rendered obvious by one or more references for purposes of a rejection under 35 U.S.C. § 103 is set forth in MPEP § 706.02(j):

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Therefore, if the above-identified criteria are not met, then the cited reference(s) fails to render obvious the claimed invention and, thus, the claimed invention is distinguishable over the cited reference(s).

Claims 1, 3-7, 9, and 12-20 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Dutta et al. in view of Ryu et al.

As suggested by the Examiner in the interview, independent Claims 1, 6, and 20 have been amended to include an appliance server in communication with an appliance to service information available from the user-selected bookmark address in the network path bookmark

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information. Claims 21-23 further indicate that the appliance is one of a printer, a fax machine, and a projector for printing, faxing, and displaying the information, respectively. Support for the claim amendments may be found in at least FIG. 3 and p. 7, ll. 29+ of the specification.

It is respectfully submitted that Dutta, Ryu, and other references of record neither disclose nor make obvious the claimed invention as now amended. Specifically, the references of record neither disclose nor make obvious the use of a client computer, a server computer, a mobile device, and an appliance server in enable the mobile device to access the network path bookmark information from the client computer, via the server computer, and to access the appliance server, also via the server computer, in order to service information retrieved via the network path bookmark information with an appliance.

Accordingly, withdrawal of the claim rejections under 35 U.S.C. § 103(a) and allowance of the pending claims are respectfully requested.



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**Conclusion**

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 08-2025.

Respectfully submitted,

Dated: June 15, 2007

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